

SAPIR & FRUMKIN LLP
ATTORNEYS AT LAW
399 KNOLLWOOD ROAD, SUITE 310
WHITE PLAINS, NEW YORK 10603
WRITER'S E-MAIL: WFrumkin@sapirfrumkin.com

DONALD L. SAPIR
WILLIAM D. FRUMKIN*

TEL: (914) 328-0366
FAX: (914) 682-9128

ELIZABETH E. HUNTER**
BINDU KRISHNASAMY
KATHERINE L. BROMBERG

PARALEGAL
RACHEL L. HORTON

*Admitted in N.Y. & CT
**Admitted in N.Y. & CA

January 19, 2011

Via ECF

Hon. David N. Hurd
United States District Judge
U.S. District Court for the
Northern District of New York
Alexander Pirnie Federal Bldg
and U.S. Courthouse
10 Broad Street
Utica, New York 13501

**Re: *Morin v. Tormey, et al.*
07-CV-0517 (DNH)(GJD)
Our File No. 06-7759**

Dear Judge Hurd:

We represent Plaintiff Bobette Morin in the above-referenced action. We were just apprised by counsel for the Attorney General that the Attorney General has agreed to assume the cost for defendants to retain private counsel. We were then approached by opposing counsel to extend the time to notify the Court of an agreed upon trial date to January 28, 2011. Since the Court has indicated it will be available to try the case in either May or June of this year and the addition of new counsel will not delay the trial date, I cannot agree to adjourn a notification date on behalf of my client. Rather, it would make sense if the trial date were set so that the defendants can retain counsel who are available to try the case on the date selected by the Court. This is especially so since all of the counsel currently involved (other than the Attorney General) have filed only Notices of Limited Appearance for the purpose of resolving the counsel payment issue.

Hon. David N. Hurd

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January 19, 2011

Accordingly, the Plaintiff is available to try the case either May 16 through May 27 or June 6 through June 17. We hope that the Court will issue the trial date on January 20 as it indicated it would in its Order of January 12, 2011.

Respectfully submitted,

/s/

William D. Frumkin (BRN 104734)

WDF:rlh

cc: Charles J. Quackenbush, Esq. (via ECF)
Edward Z. Menkin, Esq. (via ECF)
Gary T. Kelder, Esq. (via ECF)
Robert J. Smith, Esq. (via ECF)
Ms. Bobette Morin (via e-mail)